

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DANIEL ANGELIS :
v. : CIVIL ACTION
PHILADELPHIA HOUSING AUTHORITY : NO. 23-460

O R D E R

AND NOW, this 15th day of February, 2024, upon consideration of the Defendant Philadelphia Housing Authority's Motion to Dismiss (ECF No. 7) and Plaintiff Daniel Angelis's ("Plaintiff") Motion to Strike Defendant's Motion to Dismiss (ECF No. 9), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that Defendant's Motion is **GRANTED IN PART** and **DENIED IN PART** and Plaintiff's Motion is **DENIED** as follows:

1. Defendant's Motion is **GRANTED** with respect to the following claims, and these claims are dismissed without prejudice:
 - a. Discrimination on the basis of sex under Title VII, the PHRA, PFPO (Counts I, II, VIII);
 - b. Disability discrimination under the PHRA (Count V);
 - c. Hostile work environment under Title VII, PHRA, and PFPO (Counts I, II, VIII);
 - d. Failure to accommodate under the ADA, PHRA, and PFPO (Counts III, V, IX), and;
 - e. Retaliation on the basis of sex and disability under the ADA, Title VII, PHRA, and PFPO (Counts IV, VI, VII, X).
2. Defendant's Motion is **DENIED** with respect to the following claims:

- a. Sexual orientation discrimination under Title VII, PHRA, and PFPO (Counts I, II, VIII);
- b. Disability discrimination under the ADA and PFPO (Counts III, IX), and;
- c. Retaliation on the basis of sexual orientation under Title VII, PHRA, and PFPO. (Counts VI, VII, X).

3. Plaintiff is granted leave to file a Second Amended Complaint within twenty-one (21) days of the date of this Order. If Plaintiff files a Second Amended Complaint, he shall file as an exhibit thereto a redline comparing the Second Amended Complaint to the Amended Complaint.

IT IS SO ORDERED.

BY THE COURT:

/s/ R. Barclay Surrick
R. BARCLAY SURREICK, J.